

**MEMO ENDORSED**

DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 10/28/2021

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
MOHAMED ELSHERBINY,

Plaintiff,

**NOTICE OF MOTION**

-against-

Docket No. 21-cv-8022 (VEC)

CITY OF NEW YORK, *et al.*,

Defendants.

-----X

**PLEASE TAKE NOTICE** that upon the Memorandum of Law in Support of Plaintiff's Motion to Dismiss, without prejudice, and upon all the pleadings and proceedings heretofore, the Plaintiff, Mr. Mohamed Elsherbiny, will move this Court before the Honorable Valerie E. Caproni, United States District Judge for the Southern District of New York, at the Thurgood Marshall United States Courthouse located at 40 Foley Square, New York, New York 10007, at a date and time to be determined by the Court, for an order, pursuant to 28 U.S.C. §§ 1446 & 1447, remanding the above-captioned action to The Supreme Court of the State of New York, County of Bronx; together with such other relief as this Court may deem just and proper.

Dated: Bayside, New York  
October 27, 2021

**SIM & DEPAOLA, LLP**

*Attorneys-at-Law*

42-40 Bell Boulevard – Suite 405

Bayside, New York 10007

(718) 281-0400

By:

\_\_\_\_\_  
Samuel C. DePaola, Esq.

*Attorneys for Plaintiff*

[sdepaola@simdepaola.com](mailto:sdepaola@simdepaola.com)

Defendants' response in opposition to the motion is due no later than than Friday, November 12, 2021. Plaintiff's reply in support of his motion is due no later than Friday, November 19, 2021.

The Court reminds Plaintiff that his response to the Order to Show Cause (Dkt. 23) is due no later than Friday, November 5, 2021.

SO ORDERED.

A handwritten signature in blue ink, appearing to read "Valerie Caproni".

Date: October 28, 2021

HON. VALERIE CAPRONI  
UNITED STATES DISTRICT JUDGE